

WARREN COUNTY BOARD OF SUPERVISORS

COMMITTEE: **PERSONNEL**

DATE: **DECEMBER 9, 2010**

Committee Members Present:

Supervisors Thomas
Kenny
VanNess
Belden
Goodspeed
Sokol
Merlino
Strainer
Conover

Others Present:

Paul Dusek, County Attorney/Administrator
Joan Sady, Clerk of the Board
Kevin Geraghty, Budget Officer
Supervisor Bentley
Supervisor Stec
Supervisor Taylor
Supervisor Wood
Kathy Barrie, Personnel Officer
Todd Lunt, Director, Human Resources
Pat Auer, Director, Public Health
Frank O'Keefe, Treasurer
Rob Lynch, Deputy Treasurer
Barbara Taggart, Administrator,
Westmount Health Facility
Jeff Tennyson, DPW Superintendent
Sheila Weaver, Commissioner, Department
of Social Services
Bud York, Sheriff
Thom Randall, *Adirondack Journal*
Nicole Livingston, Deputy Clerk

Mr. Thomas called the Personnel Committee meeting to order at 9:00 a.m.

Motion was made by Mr. VanNess, seconded by Mr. Conover and carried unanimously to approve the minutes of the November 30, 2010 Committee meeting, subject to correction by the Clerk of the Board.

Copies of the Personnel Agenda were provided to the Committee members, and a copy of same is on file with the minutes.

Commencing the Action Agenda review, Mr. Thomas apprised Item 1 was a referral from the County Facilities Committee, requesting to fill the vacant position of Cleaner #9, base salary of \$23,298, Grade 2, due to disability. He stated that this position was not mandated and was not reimbursed.

Motion was made by Mr. Kenny, seconded by Mr. VanNess and carried unanimously to approve Item 1 as outlined above, and the necessary resolution was authorized for the next board meeting. A copy of the Notice of Intent to Fill Vacant Position is on file with the minutes.

Mr. Thomas stated Item 2 was a referral from the County Treasurer, requesting to create the position of Accounting Technician, base salary of \$38,000 to \$42,000 depending on experience and qualifications, effective January 17, 2011; and to delete the positions of Senior Account Clerk, base salary of \$29,031, Grade 7 and Principal Account Clerk, base salary of \$32,516, Grade 10; thereby amending the Department's Table of Organization.

Motion was made by Mr. VanNess and seconded by Mr. Kenny to approve the request as presented.

Rob Lynch, Deputy Treasurer, distributed a handout to the Committee members detailing the reorganization of the Treasurer's Office for 2011, as well as the job description for the position of Accounting Technician as developed by the Civil Service Department, copies of which are on file with the minutes.

Mr. Belden entered the meeting at 9:06 a.m.

Mr. Conover questioned if the two positions listed to be deleted were currently vacant positions, and Frank O'Keefe, Treasurer, responded in the negative and noted the current employees would be retiring. Mr. O'Keefe further explained that with longevity, the current salary of the Principal Account Clerk was approximately \$41,000 and the Senior Account Clerk's salary was approximately \$36,000. He asserted that the plan was to combine the aforementioned to the position of Accounting Technician; thereby realizing a net savings of around \$38,000.

Following discussion, Mr. Thomas called the question and the motion was carried unanimously to approve Item 2 as outlined above, and the necessary resolution was authorized for the next board meeting.

Mr. Thomas asserted Items 3A and B were referrals from the Health Services Committee. Item 3A, he said, was referred from Health Services, requesting to fill the vacant position of Public Health Nurse #15, base salary of \$43,150, Grade 21, Employee No. 10495, due to resignation. He noted this position was not mandated and was reimbursed depending upon patient's insurance pay source.

Mr. Sokol mentioned that this was a revenue generating position and also noted the shortage of Nurses in the Department.

Motion was made by Mr. Sokol, seconded by Mr. Strainer and carried unanimously to approve Item 3A as outlined above, and the necessary resolution was authorized for the next board meeting. A copy of the Notice of Intent to Fill Vacant Position is on file with the minutes.

Mr. Thomas added Item 3B was referred from the Westmount Health Facility, requesting to create the position of Health Information Manager, base salary of \$42,082 and to delete the position of RN 2 #5, base salary of \$42,082, effective December 10, 2010 ; thereby amending the Department's Table of Organization.

Motion was made by Mr. Sokol and seconded by Mr. Belden to approve the request as presented.

Mr. Kenny asked if a certain number of RN positions were required to be maintained at the Facility and if this change would create the need for an additional RN position in the future. Barbara Taggart, Administrator of Westmount Health Facility, replied the Facility was required to maintain a specific number of RN's and she had been unable to fill this position. She clarified that the Facility would still be able to maintain the number of RN's required following the deletion of this position.

Mr. Thomas called the question and the motion was carried unanimously to approve Item 3B as outlined above, and the necessary resolution was authorized for the next board meeting.

Mr. Thomas reported Item 4 was a referral from the Human Services Committee, Employment & Training Administration, requesting to reclassify the position of Principal Account Clerk, base salary of \$32,516 (2011 Grade 10 pay level) to the position of Employment & Training Account Manager, base salary of \$34,564 (2011 Grade 13 pay level), effective January 3, 2011; thereby amending the Department's Table of Organization.

Motion was made by Mr. Strainer and seconded by Mr. VanNess to approve the request as presented.

Mr. VanNess questioned the reasoning for this request and Paul Dusek, County Attorney/Administrator, explained this position had been re-evaluated and found to have been inappropriately classified based on the work duties that had been assumed during the course of this year. He noted that when the former Director of ETA went to a part-time Director position, this position started assuming more responsibilities, as well as additional duties from Saratoga County through the Workforce Investment Board (WIB). He added that the County would be seeking reimbursement for the additional work through the WIB. He concluded that this was the minimal upgrade that was appropriate for this position, given the duties.

Following discussion Mr. Thomas called the question and the motion was carried unanimously to approve Item 4 as outlined above, and the necessary resolution was authorized for the next board meeting.

Mr. Thomas advised Item 5 was a referral from the Public Safety Committee, Sheriff & Communications, requesting to fill the vacant position Communications Officer #9, base salary of \$33,534, Employee No. 11184, due to resignation. He stated that this position was not mandated and was not reimbursed; however, there would be a savings of \$8,912 to the budget for a new hire.

Mr. Belden asked if the position needed to be filled at this time and Bud York, Sheriff, responded affirmatively, noting that the position had been vacant for nearly three months.

Motion was made by Mr. Conover, seconded by Mr. Merlino and carried unanimously to approve Item 5 as outlined above, and the necessary resolution was authorized for the next board meeting.

Mr. Thomas apprised Items 6A and B were referrals from the Public Works Committee, DPW. Item 6A, he said, was a request to fill the vacant position of Motor Equipment Operator (MEO) Light #5, base salary of \$25,916, Grade 5, due to termination.

Motion was made by Mr. Belden and seconded by Mr. Kenny to approve the request as presented.

Mr. Dusek reported that both of the positions requested to be filled for DPW had been scrutinized during the budget process while reviewing the Department. He stated he was convinced that the Department had been reduced to a minimal staffing level and these positions needed to be filled.

Mr. Belden requested to amend his motion to include approval of Item 6B, as well and Mr. Kenny amended his second to the motion.

Mr. Thomas added Item 6B was a request to fill the vacant position of Assistant Engineer #1, base salary of \$43,296, due to promotion.

Mr. Thomas called the question and the motion was carried unanimously to approve Items 6A and 6B as outlined above, and the necessary resolutions were authorized for the next board meeting. Copies of the Notices of Intent to Fill Vacant Positions are on file with the minutes.

Mr. Thomas said Item 7 was a request to amend Resolution No. 657 of 2010 to correct the effective date of retirement for the position of CASA Coordinator to October 21, 2010.

Motion was made by Mr. VanNess, seconded by Mr. Kenny and carried unanimously to approve Item 7 as outlined above, and the necessary resolution was authorized for the next board meeting.

Mr. Thomas remarked the next matter on the Agenda was Item IV. Topics to be reported on/discussions/updates, and he noted, Item 1 was a request from Todd Lunt, Director of Human Resources, regarding an update to Resolution No. 714, Approving and Adopting County Time Clock Policy and Procedure for the time and attendance system.

Mr. Lunt distributed an amended draft copy of resolution No. 714 to the Committee members, a copy of which is on file with the minutes. He announced that following additional review of the aforementioned resolution it was determined that some of the positions listed as exempt should not have been included, as well as some positions that were not on the list that should have been. He reviewed the attached Schedule "A" in detail. Mr. Lunt said that the position of Auto Mechanic Supervisor had inadvertently been included on the first list and it was subsequently determined that the position had always been an hourly employee and should continue to be. He noted that the position of Assistant Engineer #1, which was previously approved to be filled and the Senior Civil Engineer position should be included as exempt positions and added to the list. He advised that a new County Historian was recently hired and should be added to the list of exempt employees, as well as the Deputy Director of Mental Health. He commented that the position of Network Coordinator in the Information Technology Department had been reviewed and had always been an hourly employee and should continue to be, as well. Lastly, he stated the position of County Youth Director should be added to the list.

Mr. Kenny referred to the position of County Youth Director and noted it was a part-time position; therefore, he questioned why it would be an exempt position included on the list. Mr. Dusek explained that part-time positions can be exempt and should be in order to avoid overtime obligations.

Mr. Lunt concluded he would continue to review positions and provide minor updates as they progressed.

Motion was made by Mr. VanNess, seconded by Mr. Sokol and carried unanimously to amend Resolution No. 714 of 2010 as outlined above, and the necessary resolution was authorized for the next board meeting.

Mr. Thomas expounded Item IV. 2 was a request from Paul Dusek, County Attorney/Administrator, to address the Committee regarding the review of vacation leave time for high level employees beginning with the County.

Mr. Dusek expounded that at times the County hired individuals at high level positions from other organizations, and when they join the employ of the County they lose sizable amounts of vacation time based on the County's current Vacation Policy. He further stated that when these individuals began performing the same job as their predecessor or other department heads, there became an issue of equity. Mr. Dusek distributed a handout of a justification and guidelines for a proposed Vacation Policy, a copy of which is on file with the minutes. He reviewed the proposal in detail with the Committee members. He highlighted that the plan was to authorize the Administrator to allow up to five additional days vacation time to recently hired Department Heads, top level management and professional staff, based on the criteria listed in the document.

Mr. Belden expressed his concern with authorizing additional vacation days as presented. Mr. VanNess opined there could be a problem with the timing of approving such a policy, given the current negotiations that were taking place with the Unions. Mr. Strainer countered that this would be authorized on a case-by-case basis and would allow the County room to negotiate with individuals in order to obtain high quality employees. Mr. Dusek agreed with Mr. Strainer in that this would be utilized at the time of hiring negotiations, and added the only exception to that would be that there were a few recent hires that he wanted to make adjustments on now. For example, he continued, there was one recent hire to which this matter was discussed during the hiring process, and they were informed that there could be a possibility of additional vacation days being added to the current allotment.

Discussion ensued. Mr. Goodspeed recommended that the authority be given to the Administrator to make these types of decisions, and that a written policy was not necessary. Mr. Belden referred to the few recent hires that Mr. Dusek wanted to make adjustments on now and questioned how many employees he was talking about. Mr. Dusek responded approximately five employees, and he further suggested making it available to those hired within the past three years to allow for more flexibility.

Motion was made by Mr. Merlino and seconded by Mr. Conover to authorize the County Administrator the discretion and flexibility to address vacation time for new hires with experience and Department Heads hired in the past three years. Mr. Dusek apprised he would provide the Committee with updated reports of the awards that were made.

Mr. Lunt interjected there were some high level employees and Department Heads that had been employed just over three years that had still not reached the fifteen days of vacation mark and he suggested extending the flexibility for the Administrator to allow the additional vacation days to those hired within the past five years.

Motion was made by Mr. Kenny, seconded by Mr. Belden and carried unanimously to table action on the proposed Vacation Policy as outlined above.

December 9, 2010

Mr. Merlino requested a list be provided to the Committee members outlining the employees that may be entitled to additional vacation days and the number of years of service they have with the County and Mr. Dusek acknowledged the request.

Mr. Dusek advised an executive session was necessary to discuss the employment history of a particular person and matters leading to possible disciplinary action, as well as collective bargaining negotiations.

Motion was made by Mr. Belden, seconded by Mr. VanNess and carried unanimously that executive session be declared pursuant to Sections 105 (e) and (f) of the Public Officers Law.

Executive session was declared from 9:44 a.m. to 10:47 a.m.

Committee reconvened. Pursuant to the executive session, motion was made by Mr. Belden, seconded by Mr. Goodspeed and carried unanimously to not accept the Corrections Officer and Correction Sergeants request for consent of the County to fragment away from their other Union. The necessary resolution was authorized for the next board meeting.

There being no further business to come before the Committee, on motion made by Mr. Belden and seconded by Mr. Kenny, Mr. Thomas adjourned the meeting at 10:49 a.m.

Respectfully submitted,

Nicole Livingston, Deputy Clerk